

1-1 By: Shapiro, Wentworth S.B. No. 1442
1-2 (In the Senate - Filed March 10, 2011; March 22, 2011, read
1-3 first time and referred to Select Committee on Open Government;
1-4 April 12, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 3, Nays 0; April 12, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1442 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the application requirements for a local project
1-11 permit.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a-1), Section 245.002, Local
1-14 Government Code, is amended to read as follows:

1-15 (a-1) Rights to which a permit applicant is entitled under
1-16 this chapter accrue on the filing of a required ~~an~~ original
1-17 application or plan for development or ~~plat~~ application that gives
1-18 the regulatory agency fair notice that is sufficient to enable a
1-19 reasonably prudent person to understand ~~of~~ the project and the
1-20 nature of the permit sought. An application or plan is considered
1-21 filed on the date the applicant delivers the application or plan to
1-22 the regulatory agency or deposits the application or plan with the
1-23 United States Postal Service by certified mail addressed to the
1-24 regulatory agency. A certified mail receipt obtained by the
1-25 applicant at the time of deposit is prima facie evidence of the date
1-26 the application or plan was deposited with the United States Postal
1-27 Service.

1-28 SECTION 2. This Act takes effect September 1, 2011.

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